

MEM

Originals

**To:** Joint Fiscal Committee Members  
[Senators Bartlett, Cummings, and Hurlburt]  
[Representatives Heath, Obuchowski, Perry, Severance, and Weseman]

**From:** Stephen A. Klein, Fiscal Officer

**Date:** February 16, 2005

**Subject:** **Organizational Meeting, Friday, February 18, 2005**

Congratulations on your appointment to the Legislative Joint Fiscal Committee!

3 V.S.A. § 502 states that "The joint fiscal committee shall meet immediately following the appointment of its membership to organize and conduct its business. The joint fiscal committee shall adopt rules for the operation of its personnel."

The organizational meeting has been scheduled for 12:15 pm to 1 pm on Friday, February 18, 2005. We will meet in the Senate Appropriations Committee room.

The meeting should last about 45 minutes and has the following agenda items:

1. Call to Order
2. Election of Chair, Vice Chair and Clerk
3. Consideration and Approval of Joint Fiscal Committee and Office Policies (attached)
4. Consideration and Approval of Joint Fiscal Committee Budget proposal (attached)
5. Presentation and discussion of proposed Building and General Services land sale in Duxbury [held over from November 29<sup>th</sup> meeting] (see attachments)
6. Adjourn

The November 29 minutes have not yet been completed, so we will include them along with the February 18 minutes on the agenda for approval at a future JFC meeting.

**Joint Fiscal Committee**  
**Action on Duxbury property**  
**November 29, 2004**

On a motion from Senator Bartlett, the Joint Fiscal Committee voted to postpone until its next meeting action on the proposed sale of State property located in Duxbury, with the request that in the meantime the Town of Duxbury shall consider the various options available for purchase and use of the property; and with the further directive that Town officials shall continue this effort in conjunction with the Department of Buildings and General Services.

# Town of Duxbury

3316 CROSSETT HILL ROAD  
DUXBURY, VERMONT 05676  
1-802-244-6660

Town Clerk  
Town Treasurer  
duxbury@madriver.com

January 13, 2005

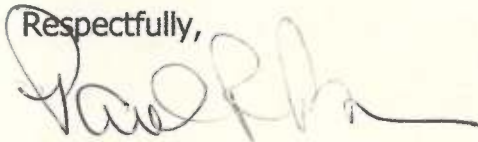
Vermont State Legislature  
Joint Fiscal Committee  
Attn: Steve Klein  
1 Baldwin Street, Drawer 33  
Montpelier, VT 05633

Dear Members of the Committee:

Enclosed please find the opinion of the Duxbury Development Review Board regarding the State Farm property located in Duxbury known as the Barn Site.

At the duly warned January 10, 2005 meeting of the Duxbury Selectboard, by motion made and seconded, the Duxbury Selectboard, by the majority, voted to support the Development Review Board findings and the Selectboard recommends the plan submitted by the Vermont State Farm Management Co. (Bathgate, *et al.*) to the Joint Fiscal Committee for approval.

Respectfully,



Paul R. Brusa  
Chair, Duxbury Selectboard

cc: R. Dostis, Representative for Duxbury  
enclosure

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To: Duxbury Selectboard  
From: Duxbury DRB  
Date: January 10, 2005  
Subject: Barn Site Proposal Revised from Jan 7 letter

The DRB had a meeting on 6 January 2005 to meet with the potential purchasers of the State Farm property known as the Barn Site. The three bidders for the property, Jason Bathgate, Jeff Siner, and Ed Brennan, were called to appear and give a detailed explanation of his proposed developing of the site. Ed Brennan has elected to withdraw his bid. When contacted about the meeting Jeff Siner admitted that the proposal he had prepared did not meet Zoning Regulations and the town plan so he said he didn't think he would have anything for us to look at by the meeting date. He did not appear at the January 6 meeting.

Jason Bathgate and Andre Coleman, representing Vermont State Farm Management Co., gave a detailed description of their proposed development. The board finds that the proposal is well thought out and does meet 95% of the existing Zoning Regulation and Town Plan. The remaining 5% consist of parking and an addition to connect to existing building. These issues will not make or break the town or the project.

Duxbury DRB Committee  
Randy Berno, Chair  
Maurice LaVanway  
Kenneth Griffith III  
Zeb Towne

\*\*\*\*\*

January 6, 2005

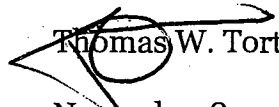
Duxbury DRB Meeting

Department of Buildings & General Services  
Agency of Administration

Two Governor Aiken Avenue  
Montpelier, VT 05633-5804  
(Voice) 802-828-3515  
(FAX) 802-828-3533  
BGS Home Page: [www.bgs.state.vt.us](http://www.bgs.state.vt.us)

**MEMORANDUM**

**TO:** Michael K. Smith, Secretary of Administration  
Robert Hofmann, Commissioner of Finance and Management

**FROM:**  Thomas W. Torti, Commissioner

**DATE:** November 8, 2004

**SUBJECT:** Joint Fiscal Committee and the Sale of Property in Duxbury

The Department of Buildings and General Services requests inclusion on the agenda of the next Joint Fiscal Committee meeting for the purpose of gaining approval to sell a parcel of land and structures thereon located in the towns of Duxbury and Moretown. Specifics are as follows:

**SALE OF STATE PROPERTY IN DUXBURY AND MORETOWN**

Sec. 1 (c) of No. 102 of the Acts of 1996 (see enclosed) authorized the sale of three parcels of the former Vermont State Hospital Farm, located in Duxbury and Moretown.  
The section specifies that:

"The first two parcels are 37 acres more or less, located in the Town of Duxbury, and 114 acres more or less, located in the Town of Duxbury and the Town of Moretown, as identified on the master plan referred to in subsection (a) of this section, and shall be sold as a single, combined parcel for the uses identified on the master plan."

The property under consideration for sale is the combined parcel as defined by Sec. 1 (c) of No. 102 of the Acts of 1996. The section goes on to state:

"The price of the three parcels shall be their fair market value as determined through a publicly advertised sale. The sale of any of the three parcels shall be subject to final approval by the joint fiscal committee, which approval may be withheld."

BGS advertised said property in three local newspapers and notice of sale was posted at the Duxbury Town Offices, the Crossett Brook Middle School and the Duxbury Country Store on Route 100B. Interested parties were given packets that contained a sales brochure, a survey map of the property, a copy of the "notice of sale", a summary of the Act 250 permit conditions, historic preservation conditions and the local permit conditions, a copy of the section of the



"Duxbury Zoning Ordinances" that pertained to development on the property, and "procedure for sale" information. BGS also conducted a tour of the property on September 02, 2004 followed by a question and answer session with those interested parties that attended the tour.

The "Procedure for Sale" required that all interested parties submit an offer, in writing, stating their price and providing a narrative description of the proposed development in order to evaluate whether the uses complied with the listed uses in the Master Plan. While some descriptions were more lengthy than others, the four bids all contained a written description of the proposed use of the property sufficient for the Department to determine whether the proposed use was listed in the Plan as required by the legislative authorization noted above. All bids were in compliance. Furthermore, the "Procedure for Sale" noted that offers would be:

"evaluated in the best interest of the State considering both price and conformance with the currently permitted or conditional uses in the applicable zoning districts of the Towns of Duxbury and Moretown. Any offers not in conformance with the uses shall be considered non-responsive and rejected. The State also reserved the right to reject any and all offers."

Also, it was noted that acceptance of an offer by the Department of Buildings and General Services on behalf of the State is contingent upon and subject to final approval by the Joint Fiscal Committee of the Vermont General Assembly as per Sec. 1(c) of Act No. 102 (H.681) of 1996.


The offers received by Buildings and General Services were as follows in order of highest offer to lowest offer: Stephen Scribner--\$421,000.00. CBC Construction, Inc.--\$404,917.00. Crossett Brook Agricultural Center--\$365,000.00. The Vermont state Farm Management Company--\$360,040.00. Stephen Scribner has since withdrawn his bid.

While price was not the only factor under consideration, the fact that the proposed uses in all offers were listed under the plan or ordinance meant that price became a differentiating factor in the bid evaluation, given the legislative requirements. Since all bids were responsible under the legislative requirements, the Department recommends that the Joint Fiscal Committee approve the offer from CBC Construction, Inc. at \$404,917.00, the highest offered price.

# Joint Fiscal Office

1 Baldwin Street • Montpelier, VT 05633-5701 • 802) 828-2295 • Fax: 802) 828-2483

## MEMORANDUM

To: Joint Fiscal Committee  
From: Stephen A. Klein   
Date: February 16, 2005  
Subject: JFO - FY 2005 & FY 2006 Budget issues

### **FY 2005**

We are on track to be within FY 2005 appropriated amounts and do not have any budget adjustment request to recommend at this time. The administration has proposed to revert \$44,441 of funds appropriated for corrections oversight support as part of the budget adjustment. We anticipate no use of these funds that remain of the \$125,000 appropriation originally made in FY 2002.

We do not anticipate significant carry forward this year for several reasons. First usage of Tom Kavet's services by Commerce, Economic Development and other committees has grown. The VEPC audit and the related administration and legislative proposals to modify VEPC are partially responsible for this. Catherine is now on a four day a week schedule, the FY05 budget assumed a three day schedule.

Second, as we discussed with the JFC in November, we have contracted with a company called "Propylon" to review our budget bill drafting system and provide technology recommendations for an integrated fiscal system that allows budget analysis and bill drafting. The \$14,000 contract is directly related to our continuing concern that the budget documents and the budget bill are manually integrated through "Excel" and "Word". We have been working with the Utah legislative fiscal office. They have built an integrated fiscal system are interested in moving that integration into the creation of the bill.

### **FY 2006**

Our Base FY 2006 budget request is consistent with the proposed budget for the Joint Fiscal Committee as submitted by the administration. Our major cost increases are related to benefit and pay act changes. We are budgeting Catherine at four days a week during the session. Attached please find a budget summary for FY2004 to FY2006.

Our FY 2006 unknowns are as follows:

- Is the higher level usage of Tom Kavet going to continue? His contract comes up for review this summer. The new contract or continued higher usage could impact our budget projections.
- What will be the next steps in the integrated fiscal system initiative? The Propylon report is due in March and we will bring that to the committees' attention at that time with recommendations and a possible onetime funding request.

- What will the summer and 2006 session demands for health care related fiscal support? This year the \$25,000 appropriation went to fund Ingrid Rystedt, a session employee, and to bring in Vernon Smith to work with the legislature on the national context for Medicaid. By transferring funds to OVHA and contracting for Vernon Smith jointly we were to make our money go further by obtaining 50% Medicaid match for his time.

As the session progresses we will work with the committees and the legislative leadership to make any determination as to three budget unknowns above.

JFO Budget	FY 2004 Actuals	FY2005 Appropriated	FY 2005 Est 2/11/05	FY 2006 Est	Diff FY05 to FY06
<b>EXPENDITURES</b>					
Pay	657,614	621,470	647,927	658,708	10,782
Health/Dental Insurance	63,683	79,063	73,742	88,691	14,948
Other Personal Services	110,477	108,927	106,266	109,089	2,823
Propylon			14,060	?	
Kavet	90,808	81,000	87,500	81,000	?
Brighton	8,090	8,500	8,500	8,500	
Total Personal Services	930,672	898,960	937,995	945,988	
Operating Expenses	72,571	67,224	83,684	72,385	(11,299)
Total Expenditures	1,003,243	966,184	1,021,678	1,018,373	(11,299) -1.11%

			Actual	Req=Gov Rec.	
<b>APPROPRIATIONS</b>					
General Fund	787,290	831,789	831,789	882,901	51,112
Transportation Fund	167,300	134,395	134,395	135,472	1,077
Total Big Bill	954,590	966,184	966,184	1,018,373	52,189
Pay Act Allocation	0		22,098	0	
Total Base Appropriations	954,590	966,184	988,282	1,018,373	30,091 3.04%
Surplus/(Deficit)	(48,653)		(33,396)	0	
Beginning Carryforward Balance	84,700		36,047		
Ending Carryforward Balance	36,047		2,651		

Special Appropriations		FY05	FY06
Corrections	Available carryforward	44,441	
FY2002 \$150k	Reverting to GF in Bud Adj.	(44,441)	
	available	0	
Health Care Study		25,000	?
	OVHA for Contracts	(4,000)	
	HC staff contact	(21,000)	
	available	0	

#### Operating Expense Detail

	FY2004 act	FY 2005 appr	FY 2005 est	FY2006
Fee For Space	31,687	31,307	31,249	33,886
Vision	2,677	3,633	3,846	3,633
Supplies	4,389	4,400	5,099	4,400
Insurance	1,528	2,510	2,223	2,749
Copying/Printing	2,790	2,600	2,625	2,800
Travel	11,993	9,530	13,253	9,525
Registrations	6,380	4,400	5,705	6,200
Subscriptions	8,840	7,130	7,557	8,000
Software	0	0	4,600	0 ?
Furniture & Equipment	0	0	5,693	0
Other	2,287	1,714	1,834	1,192
Total	72,571	67,224	83,684	72,385

**Acts of 1996 NO. 102. AN ACT RELATING TO SALE OF STATE PROPERTY IN  
DUXBURY AND MORETOWN.**

(H.681)

It is hereby enacted by the General Assembly of the State of Vermont:

**Sec. 1. SALE OF STATE-OWNED PROPERTY IN DUXBURY AND MORETOWN**

(a) The commissioner of state buildings, with the approval of the secretary of administration, is authorized to sell a parcel of state-owned land in the Town of Duxbury, to the Town of Duxbury, for use as a public school site. The parcel is a 34 acre, more or less, portion of the former state farm, as identified on the master plan for the farm property, prepared by Cavendish Partnership, Inc. for the department of state buildings, dated November 20, 1995, and approved by the Town of Duxbury and the department of state buildings. The Town of Duxbury shall pay the state \$135,000.00 for the parcel.

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(c) The commissioner of state buildings is authorized to offer three additional parcels for sale on the open market. The first two parcels are 37 acres more or less, located in the Town of Duxbury, and 114 acres more or less, located in the Town of Duxbury and the Town of Moretown, as identified on the master plan referred to in subsection (a) of this section, and shall be sold as a single, combined parcel for the uses identified on the master plan. The third parcel is 15 acres more or less, located in the Town of Moretown between U.S. Route 2 and the Winooski River. The price of the three parcels shall be their fair market value as determined through a publicly advertised sale. The sale of any of the three parcels shall be subject to final approval by the joint fiscal committee, which approval may be withheld.

# Town of Duxbury

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January 13, 2005


Vermont State Legislature  
Joint Fiscal Committee  
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At the duly warned January 10, 2005 meeting of the Duxbury Selectboard, by motion made and seconded, the Duxbury Selectboard, by the majority, voted to support the Development Review Board findings and the Selectboard recommends the plan submitted by the Vermont State Farm Management Co. (Bathgate, *et al.*) to the Joint Fiscal Committee for approval.

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Duxbury DRB Committee  
Randy Berno, Chair  
Maurice LaVanway  
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January 6, 2005

Duxbury DRB Meeting



VERMONT

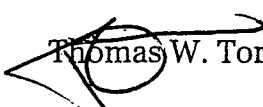
Office of the Commissioner

Department of Buildings & General Services  
Agency of Administration

Two Governor Aiken Avenue  
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(Voice) 802-828-3515  
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**JOINT FISCAL COMMITTEE**  
**AND OFFICE POLICIES**

**January 2005**

## STANDARD

AND OFFICE WORK BY  
WILLIAM L. G. GIBBS

# **I N D E X**

## **JOINT FISCAL COMMITTEE AND OFFICE POLICIES**

**[January 2005]**

<b>I.</b>	<b>Joint Fiscal Committee Functions and External Relations</b>	
<b>A.</b>	<b>Statute provisions -Title 2 VSA Chapter 15</b>	
	Sec. 501. Creation of committee; purpose	<b>1</b>
	Sec. 502. Employees; rules; budget	<b>2</b>
	Sec. 503. Functions	<b>3</b>
	Sec. 504. Intergovernmental cooperation	<b>4</b>
<b>B.</b>	<b>Rules of Procedure - Committee meetings</b>	<b>5</b>
<b>C.</b>	<b>Joint Fiscal Committee and Joint Fiscal Office policies</b>	<b>7</b>
<b>D.</b>	<b>Procedures on Grants, Gifts and Positions</b>	
	1. Grant and position approval statute (Title 32 V.S.A. § 5)	<b>9</b>
	2. Policy on small gifts, grants and bequests	<b>12</b>
<b>E.</b>	<b>Joint Fiscal Office and Legislative Council guidelines relating to information requests from political candidates</b>	<b>13</b>
<b>II.</b>	<b>Internal - Joint Fiscal Office Operations</b>	
<b>A.</b>	<b>Personnel Policies</b>	<b>14</b>
<b>B.</b>	<b>Sexual Harassment Policy</b>	<b>15</b>

## **Title 2: Legislature**

### ***Chapter 15: JOINT FISCAL COMMITTEE***

#### **2 V.S.A. § 501. Creation of committee; purpose**

##### **§ 501. Creation of committee; purpose**

(a) There is created a joint fiscal committee whose membership shall be appointed at the beginning of each biennial session of the general assembly. The committee shall consist of five representatives and five senators as follows:

- (1) The chair of the house committee on appropriations;
- (2) The chair of the house committee on ways and means;
- (3) The chair of the senate committee on appropriations;
- (4) The chair of the senate committee on finance;
- (5) Two members of the house, one from each major political party, appointed by the speaker of the house;
- (6) Two members of the senate, one from each major political party, appointed by the committee on committees; and
- (7) One member of the senate to be appointed by the committee on committees and one member of the house to be appointed by the speaker.

(b) The committee shall elect a chair, vice-chair and clerk and shall adopt rules of procedure. The committee may meet at any time at the call of the chair or a majority of the members of the committee. A majority of the membership shall constitute a quorum.

(c) For attendance at a meeting when the general assembly is not in session, members of the joint fiscal committee shall be entitled to the same per diem compensation and reimbursement for actual and necessary expenses as provided members of standing committees under 2 V.S.A. § 406. (Added 1973, No. 128 (Adj. Sess.), § 1, eff. Jan. 24, 1974; amended 1977, No. 247 (Adj. Sess.), § 202; 1983, No. 88, § 12, eff. July 3, 1983; 1997, No. 61, § 273.)

# The Vermont Statutes Online

## Title 2: Legislature

### *Chapter 15: JOINT FISCAL COMMITTEE*

#### **2 V.S.A. § 502. Employees; rules; budget**

##### **§ 502. Employees; rules; budget**

(a) The joint fiscal committee shall meet immediately following the appointment of its membership to organize and conduct its business. The joint fiscal committee shall adopt rules for the operation of its personnel.

(b) The joint fiscal committee shall employ such professional and secretarial staff as are required to carry out its functions and fix their compensation. Chapter 13 of Title 3 shall not apply to employees of the joint fiscal committee unless this exception is partially or wholly waived by the joint fiscal committee.

(c) The joint fiscal committee shall prepare a budget. (Added 1973, No. 128 (Adj. Sess.), § 1, eff. Jan. 24, 1974.)

# The Vermont Statutes Online

## Title 2: Legislature

### *Chapter 15: JOINT FISCAL COMMITTEE*

#### 2 V.S.A. § 503. Functions

##### **§ 503. Functions**

(a) The joint fiscal committee shall direct, supervise and coordinate the work of its staff and secretaries.

(b) The joint fiscal committee shall:

(1) Furnish research services and secretarial services of a fiscal nature to the committees on appropriations, the senate committee on finance, the house committee on ways and means, the committees on transportation and the joint fiscal committee;

(2) Carry on a continuing review of the fiscal operations of the state, including but not limited to revenues, budgeting and expenditures;

(3) Accept grants, gifts, loans, or any other thing of value, approved by the governor, under the provisions of 32 V.S.A. § 5, when the general assembly is not in session.

(4) Keep minutes of its meetings and maintain a file thereof. (Added 1973, No. 128 (Adj. Sess.), § 1, eff. Jan. 24, 1974; amended 1977, No. 247 (Adj. Sess.), § 187, eff. April 17, 1978; 1997, No. 144 (Adj. Sess.), § 17.)

# The Vermont Statutes Online

## Title 2: Legislature

### *Chapter 15: JOINT FISCAL COMMITTEE*

#### **2 V.S.A. § 504. Intergovernmental cooperation**

##### **§ 504. Intergovernmental cooperation**

For the purposes of carrying out its duties, the joint fiscal committee and its staff shall have access to and the right to copy any public record of all executive, administrative and judicial departments of the state, except income and franchise tax returns and other documents classified as confidential by law. (Added 1973, No. 128 (Adj. Sess.), § 1, eff. Jan. 24, 1974.)

**RULES OF PROCEDURE****JOINT FISCAL COMMITTEE****[Revised 3/18/94]**

**Motions and Voting** - Every motion shall be reduced to writing by the mover if the Chair or a member so requests. When a question is pending, no motion may be received except:

- To adjourn
- To adjourn to a day certain
- To take a recess
- To lay on the table
- To postpone indefinitely
- To postpone to a day certain
- To amend
- To reconsider

which motions shall have precedence in the above order. No motion is in order when the Committee is engaged in voting. All members present, including the Chair, shall vote. Voting shall be by voice or roll call.

**Executive Session** - The Committee may go into executive session pursuant to the terms, conditions and procedure contained in Section XV of the Permanent Rules of the Vermont Senate.

**Reconsideration** - Action to reconsider on the same day of original vote shall be by three-quarters vote; at subsequent meeting action shall be by majority vote. A motion to reconsider may be made only by a member who voted on the prevailing side of the question. When the decision of a question has been reconsidered, the matter shall not be reconsidered again. Nor when a motion to reconsider has been rejected may that question be reconsidered, or a like motion be in order again.

**Subcommittees** - The Committee may authorize the appointment of subcommittees to investigate particular subjects. A member of the Committee shall be chair of each subcommittee and members thereon may include legislators who are not members of the Committee.

**Suspension** - The Committee's rules may be suspended by three-quarters vote.

**Right to Change Rules** - The Rules of Procedure of the Joint Fiscal Committee may be changed by a majority of the members present provided that the proposed rule change has been submitted in writing to each member of the Committee no less than fifteen days prior to a meeting of the Committee at which the rule change will be considered.

**Procedures Not Covered** - In the case of any procedure or business not otherwise addressed by these Rules, the Joint Fiscal Committee shall be guided generally by Mason's Manual of Legislative Procedure (latest edition) and specifically by Chapters 54 through 63, inclusive, concerning the conduct of committees.

**JOINT FISCAL COMMITTEE  
and  
JOINT FISCAL OFFICE POLICIES**

1. The Joint Fiscal Office is established to provide independent, accurate, analytical, and clerical support for the appropriations and tax writing committees. Its functions and work assignments are subject to approval of the Joint Fiscal Committee and/or the Joint Fiscal Committee chair.

2. It is the intention of the Joint Fiscal Committee that the analyses and work products of the Joint Fiscal Office shall be completed in a factual, reliable, and timely manner to a professional quality standard as required by the Joint Fiscal Committee.

3. Assignments of responsibilities, studies, and work tasks to personnel of the Joint Fiscal Office will be through the Joint Fiscal Committee chair and the Joint Fiscal Officer, except during a session of the General Assembly. During sessions, professional and secretarial personnel will report to the chair of their designated committees for work and scheduling assignments relating to their committee activities. Regularly assigned tasks will continue to be supervised by the Joint Fiscal Officer.

4. The chair of the Joint Fiscal Committee shall assume the responsibility for public information in matters relating to the work of the Joint Fiscal Committee. The individual chairs of the four money committees shall be the principal spokespersons for matters relating to the work and interest of their committees. The Joint Fiscal Officer shall be responsible for information which concerns the operation of the Joint Fiscal Office.

5. Requests for services from legislators other than money committee members will be directed through the Joint Fiscal Committee chair or one of the money committee chairs. Requests for information or facts which do not require research may be addressed to the Joint Fiscal Officer.

6. Detailed analyses or studies which are contrary to established legislative, executive or judicial positions shall be subject to the approval of the Joint Fiscal Committee and/or the chair of the Joint Fiscal Committee.

7. The staff of the Joint Fiscal Office are encouraged to provide analyses and recommendations for improvements and/or alternatives to programs and appropriations for committee consideration.

8. Joint Fiscal Office personnel may serve on study or project task forces other than regular Joint Fiscal Committee work with the approval of the Joint Fiscal Committee or the Joint Fiscal committee chair. Work assignments may also be made as a result of legislation which authorizes or requires Joint Fiscal Office participation in studies and other projects.

9. Joint Fiscal Committee and Joint Fiscal Office records which are covered under the right-to-know statute shall be available to the public at reasonable times and locations upon request to the Joint Fiscal Officer.

Records, working papers, studies, and analyses which represent work in process for the Joint Fiscal Committee, the money committees, or individual legislators services by the Joint Fiscal Office are not public documents and are not available for public inspection through the Joint Fiscal Office.

10. The Joint Fiscal Office shall develop a reasonably representative data base of information related to Joint Fiscal Committee interests and concerns. The information shall be maintained and made available to money committee members.

## **Title 32: Taxation and Finance**

### ***Chapter 1: GENERAL PROVISIONS***

#### **32 V.S.A. § 5. Acceptance of grants**

##### **§ 5. Acceptance of grants**

(a) No original of any grant, gift, loan, or any sum of money or thing of value may be accepted by any agency, department, commission, board, or other part of state government except as follows:

(1) All such items must be submitted to the governor who shall send a copy of the approval or rejection to the joint fiscal committee through the joint fiscal office together with the following information with respect to said items:

(A) the source of the grant, gift or loan;

(B) the legal and referenced titles of the grant;

(C) the costs, direct and indirect, for the present and future years related to such a grant;

(D) the department and/or program which will utilize the grant;

(E) a brief statement of purpose;

(F) impact on existing programs if grant is not accepted.

(2) The governor's approval shall be final unless within 30 days of receipt of such information a member of the joint fiscal committee requests such grant be placed on the agenda of the joint fiscal committee, or, when the general assembly is in session, be held for legislative approval. In the event of such request, the grant shall not be accepted until approved by the joint fiscal committee or the legislature. During the legislative session the joint fiscal committee shall file a notice with the house and senate clerks for publication in the respective calendars of any grant approval requests that are submitted by the administration.

(3) This section shall not apply to the acceptance of grants, gifts, donations, loans, or other thing of value by the division for historic preservation for use in establishing and maintaining displays and exhibits at any historic site or restoring any historic site maintained and developed under section 723 of Title 22; nor to grants, gifts, donations, loans, or other things of value with a value of \$1,000.00 or less, provided that such acceptance will not incur additional expense to the state or create an ongoing requirement for funds, services, or facilities. The secretary of administration and joint fiscal office shall

be promptly notified of the source, value and purpose of any items received under this subdivision.

(b) In accordance with subsection (a) of this section, in conjunction with a grant, a limited service position request for a position explicitly stated for a specific purpose in the grant, may be authorized. The position shall terminate with the expiration of the grant funding unless otherwise funded by an act of the general assembly. Such authorized limited service positions shall not be created until the appointing authority has certified to the joint fiscal committee that there exists equipment and housing for the positions or that funds are available to purchase equipment and housing for the positions. (Added 1971, No. 260 (Adj. Sess.), § 29(a); amended 1977, No. 247 (Adj. Sess.), § 186, eff. April 17, 1978; 1983, No. 253 (Adj. Sess.), § 248; 1995, No. 46, § 52; 1995, No. 63, § 277, eff. May 4, 1995; 1995, No. 178 (Adj. Sess.), § 416, eff. May 22, 1996; 1997, No. 2, § 72, eff. Feb. 12, 1997; 1997, No. 66 (Adj. Sess.), § 60, eff. Feb. 20, 1998.)

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(1) All such items must be submitted to the governor who shall send a copy of the approval or rejection to the joint fiscal committee through the joint fiscal office together with the following information with respect to said items:

(A) the source of the grant, gift or loan;

(B) the legal and referenced titles of the grant;

(C) the costs, direct and indirect, for the present and future years related to such a grant;

(D) the department and/or program which will utilize the grant;

(E) a brief statement of purpose;

(F) impact on existing programs if grant is not accepted.

(2) The governor's approval shall be final unless within 30 days of receipt of such information a member of the joint fiscal committee requests such grant be placed on the agenda of the joint fiscal committee, or, when the general assembly is in session, be held for legislative approval. In the event of such request, the grant shall not be accepted until approved by the joint fiscal committee or the legislature. During the legislative session the joint fiscal committee shall file a notice with the house and senate clerks for publication in the respective calendars of any grant approval requests that are submitted by the administration.

(3) This section shall not apply to the acceptance of grants, gifts, donations, loans, or other thing of value by the division for historic preservation for use in establishing and

maintaining displays and exhibits at any historic site or restoring any historic site maintained and developed under section 723 of Title 22; nor to grants, gifts, donations, loans, or other things of value with a value of \$1,000.00 or less, provided that such acceptance will not incur additional expense to the state or create an ongoing requirement for funds, services, or facilities. The secretary of administration and joint fiscal office shall be promptly notified of the source, value and purpose of any items received under this subdivision.

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**POLICY ON SMALL GIFTS, DONATIONS, OR BEQUESTS**

In accordance with the provisions of Title 32 V.S.A. §5(a), the Governor's approval shall be final and the Joint Fiscal Office is instructed not to place on the Committee's agenda any request for acceptance of a gift, donation, or bequest by any agency, department, commission, board or other part of state government provided the value therefor does not exceed \$1,000 and, further provided, that such acceptance will not incur additional expense to the state or create an ongoing requirement for funds, services, or facilities.

*[Approved at 7/30/86 JFC meeting]*

**JOINT FISCAL OFFICE AND LEGISLATIVE COUNCIL**  
**GUIDELINES RELATING TO INFORMATION REQUESTS FROM**  
**POLITICAL CANDIDATES**

Specifically identified documents, reports, research and bills which previously have been publicly released will be provided on request to political candidates and their staffs. The cost of copying may be charged if copying costs are incurred.

Neither office will undertake to find, identify, research, organize, assemble, or correlate general requests for documents and bills, even if they are publicly available. For example, a request for copies of "all the bills Senator X introduced," or "all the tax bills introduced in the House in 1989," will not be honored.

No new research will be undertaken on request of any candidate or candidate's staff; except that incumbent members who are candidates for reelection will continue to receive the assistance of either office in connection with their ongoing legislative responsibilities or the preparation of bills for introduction in the regular session.

Memoranda, correspondence, and other information materials prepared specifically for individual members will not be provided, even if they have been circulated by the individual member who requested and received them. Candidates making such requests will be referred to those members.

Voting records will not be researched or released, even the vote of a single member on a single bill. Candidates making such requests will be referred to the Journals of the House and Senate.

**JOINT FISCAL COMMITTEE****PERSONNEL POLICIES**

It is the policy of the Joint Fiscal Committee that Joint Fiscal Office staff be accorded fringe benefits comparable to those provided to classified employees in the biennial Agreements between the State of Vermont and the Vermont State Employees Association, Inc.

It is the policy of the Joint Fiscal Committee that Joint Fiscal Office staff be accorded annual salary adjustments comparable to that provided to exempt employees of the Executive Branch of Government. [Provision added by JFC 07/21/94]

Notwithstanding the foregoing, hiring, retention and compensation of the Joint Fiscal Office staff are a function of the Joint Fiscal Committee.

## **POLICY ON SEXUAL HARASSMENT**

The Joint Fiscal Committee endorses, to cover the Joint Fiscal Office staff, the statewide sexual harassment policy applicable to all State of Vermont employees, as set forth in Section 3.1 of the State of Vermont Personnel Policies and Procedures, effective March 1, 1996 and currently applicable (January 2005).

the 1990s, the number of people in the world who are undernourished has increased from 600 million to 800 million (FAO 2001). The number of people who are obese has increased from 100 million in 1975 to 300 million in 2000 (WHO 2001).

Obesity is a complex condition, with many causes. It is a result of an imbalance between energy intake and energy expenditure. The energy intake is determined by the amount of food consumed, and the energy expenditure is determined by the amount of physical activity. The balance between these two factors is determined by a number of factors, including genetics, environment, and lifestyle. The most common cause of obesity is a combination of these factors, with a genetic predisposition to gain weight, an environment that encourages sedentary behaviour, and a lifestyle that involves eating a high-calorie diet and not exercising enough.

Obesity is a major public health problem, with a number of health complications. It is a risk factor for a number of chronic diseases, including heart disease, diabetes, and cancer. It is also a risk factor for mental health problems, such as depression and anxiety. Obesity is also a social problem, with a number of social complications. It is a source of discrimination and stigma, and it can lead to social isolation and poverty.

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